

**General Plan 2020**  
**Interest Group Committee Meeting Minutes**  
**March 11, 2003**  
*Revised March 25, 2003*

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**Interest Group Committee:**

Bruce Tabb	Environmental Development
Carolyn Chase	SD Coalition for Transportation Choices
Dan Silver	Endangered Habitats League
Dave Shibley	Save Our Land Values
David Younkman	
Diane Coombs	Citizen Coordinate for Century 3
Eric Bowlby	Sierra Club
Eric Larson	Farm Bureau
Greg Lambron	Helix Land Company
Jim Whalen	Alliance for Habitat Conservation
Karen Messer	Buena Vista Audubon Society
Liz Higgins	SD Association of Realtors
Matt Adams	Building Industry Association
Mike Thometz	Back Country Coalition
Terry Barker	American Society of Landscape Architects

**Public at Large:**

Almeda Starkey	
Brent McDonald	Caltrans
Carol Leone	
Charlene Ayers	
Devore Smith	Sierra Club
Dutch Van Dierendonck	Ramona CPG
Ernest Barrera	Espresso Newspaper
Jeffery Pasek	San Diego Water Dept.
John Stewart	JDPG, SDRPCAC
Lynne Baker	
Mary Allison	USDRIC & ECPOA
Paul Ulrich	Crestview Properties
Scott Molly	MEA
Suzanne McKenna	San Diego Association of Realtors

**County Staff:**

Karen Scarborough (DPLU, group facilitator)  
Gary Pryor (DPLU)  
Ivan Holler (DPLU)  
LeAnn Carmichael (DPLU)  
Michelle Yip (DPLU)  
Stephanie Gaines (DPLU)  
Tom Harron (County Counsel)

### **Non-Agenda Item –**

#### **a) Planning Commission Hearings**

- Scarborough stated there were four meetings and that we are on the way to the Board of Supervisors.
- Chase asked the status of project referral list. Holler commented staff would continue to add to the list then publish when complete.
- Whalen asked when staff would go before the Board. Holler stated there is a hearing on April 30<sup>th</sup> and we are looking at May 7<sup>th</sup> or May 21<sup>st</sup> as potential dates.

#### **b) Interest Group Schedule**

- Scarborough commented that six items remain to be accomplished, asked desire of group to continue meeting bi-monthly, or move to once per month. Remaining items include PDRs/TDRs, standards package, legislative intent. Thometz suggested the need to continue to meet – get to the end of TDRs. Scarborough noted that the group has great benefit in breakout sessions – recommended keeping pace and sessions and suggested changing meetings to once per month, keeping breakout sessions as necessary. Shibley requested to maintain current schedule. Silver stated equity mechanisms are the biggest issue and that smaller groups are more productive. Scarborough suggested maintaining the every other week schedule, tracking breakout sessions by email.
- Bowlby asked whether we were keeping the tools committee and the committee discussing conservation easements. Scarborough stated that the group decided to move discussion to the full group at the last tools committee meeting. Larson stated there was no need for a separate meeting. Bowlby stated that the breakout sessions should allow audience attendance even though they are not a quorum. Scarborough reiterated the need for the full group as no actions are taken at the breakout sessions. The bi-weekly meetings have the full group and an audience.
- Chase had a question on Transportation/CE element and cost of infrastructure. Suggested discussion on special districts and sewer, water, groundwater as it relates to the general plan and elements to be drafted.
- Shibley stated that we need to address equity mechanisms – TDRs/PDRs and is not in favor of breakout meetings based on this. Stated that SOLV is concerned that TDRs are not on the horizon.

### **Agenda Item I: Logistics –**

#### **a) Minutes for January 14, 2003**

- Bowlby moved to approve the minutes. Shibley seconded. Motion passed.

#### **b) Minutes for January 28, 2003**

- Bowlby requested to change the language on pp. 2, 4<sup>th</sup> bullet under Goals & Policies (Vote) as the group has not agreed to support all of the goals and policies as is. Scarborough explained the vote was to represent to the Planning Commission that prior votes would “stick”. Bowlby moved to approve the minutes contingent upon the language change. Adams seconded. Motion passed.

### **Agenda Item II: Standards –**

- Holler explained the handout – one side includes existing County standards and Steering Committee proposed standards, the other side is a collection of input for review/discussion only.
- Adams suggested to set this aside as it did not include what was previously discussed by the group. Scarborough suggested looking at existing County standards and continue discussion on floodplains

and existing RPO/BMO from the breakout sessions, to be used in these categories consistent with the conservation subdivision idea.

- Silver spoke about existing RPO/BMO. Most of the time in the breakouts were spent on floodplains and how it interacts with development footprints and open space set aside. Discussed what the County is doing today that influences those decisions. Trying to understand more about what happens today and what needs to be done differently with regards to development in floodplains. Adams stated we agreed to large set asides, contingent upon keeping the standards as is. Tabb agreed we would use existing standards/RPO for floodplains and for steep slopes – bottom line is existing county standards is what we agreed to at the last meeting.
- Silver agreed and stated that we were waiting for staff to show us what the standards were so we could understand them “on the ground”. He asked what the setback was that the County is using. Carmichael replied that for the most part, staff is trying to protect floodplains 100%. The expense on the applicant side is onerous – projects are intended to stay out of there. Shibley stated that RPO will dictate how to protect floodplains through FEMA regulations. Added that there are some channels that have not seen water in 30 years but are still considered floodplains and some of those are created artificially so development can occur.
  - ❖ **Clarification made at the March 25, 2003 meeting:** Shibley stated that he did not want to infer that FEMA has any rights to regulate our land since land use is a local thing; FEMA just sets up guidelines whereby if you adopt those, then there are regulations in there that we can use.
- Silver suggested a presentation on floodplains under regulations. Concerned that what is being proposed is very different from the Steering Committee recommendations and felt the yield reduction under semi-rural was worth clarifying. Suggested adding “per open space subdivision”. Chase suggested retaining the existing County standards to minimize arguments over changes that have not been made as the breakout group agreed to use RPO standards.
- Bowlby stated that 15 – 30 feet setbacks for floodplains are inadequate and the current standard is extremely weak in terms of RPO. Carmichael stated that staff would look at “exceptions” as indicated in RPO. Bowlby agreed that RPO was strong for wetlands and supported the Steering Committee’s proposed standards on floodplains, also commented that encroachment on floodplains should avoid taking the economically viable use of the property. Chase commented on hierarchy of “least environmentally sensitive area”, need to make the determination of whether to put development in the floodplain or steep slopes. When will it trigger a taking, if going to approve concepts with changes discussed in breakout group how will determination be made? How is it being done in other jurisdictions? Whalen commented that it was done on a project-by-project basis.
  - ❖ **Correction made at the March 25, 2003 meeting:** Bowlby stated that it should read: *15 – 30 feet setbacks from the floodplain...Bowlby agreed that RPO was strong for wetlands and supports the Steering Committee’s proposed standard on floodplains. Also commented that the only encroachment that should be allowed on floodplains should be the maximum necessary to avoid taking all economically viable use of the property.*
- Coombs likes approach staff is taking on encroachments in the Village/Village Core vs. the semi-rural and rural lands. Interest Group has done goals and policies on floodplains, would be helpful if these goals and policies are implementing standards already agreed upon. Wetlands goals and policies stated no net loss of “acreage, function or value” and that should be implemented in the wetland standard. Not shown on staff copy, but is on Steering committee’s proposed standards. Bowlby asked if it was added to limit allowable uses. Chase commented that it allows trading. Scarborough asked if Coombs was against keeping existing RPO. Carmichael clarified from existing RPO that “essential public facilities are allowed”, must be consistent with community plan...and realize a net gain in wetland acreage. Coombs asked to hear goals and policies for floodplains and wetlands to clarify against standards. Carmichael read from goals and policies.
- Tabb disappointed on what staff has brought forward, needs direction, suggest staff put something together then discuss. Yield reduction same as RPO unless impacted, what if yield reduction doesn’t apply, where do you get additional units? Silver explained if it’s feasible, you can, but won’t be in all cases, not supposed to be doing mass grading. Scarborough commented (from notes) use open space subdivision first. Tabb clarified there was no yield reduction unless not enough land left. Silver and Tabb suggested rewriting make clear to do open space subdivision first, then if it doesn’t work you get the yield reduction. Shibley asked if difference of 10 units was ‘over’. Bowlby commented on density

on Village Core vs. semi-rural. Shibley answered that you cannot exceed density assigned on the General Plan.

- Silver asked where the group was on this. Scarborough commented she was assimilating the concerns identified on the document (that was not brought to the meeting). The group will return to the information on floodplains with goals and policies – not sure whether appropriate to do a motion on this. Silver commented the semi-rural language should also apply to rural – “no limit” sentence.
- Whalen commented that this was discussed and an agreement made, concerned that staff did not bring this forward. Carmichael apologized for not having work ready, due to Planning Commission meetings. Scarborough commented there was an agreement that will come back to the March 25<sup>th</sup> meeting. Whalen commented there was no existing requirement for buffers. Carmichael commented that RPO requires buffers, though not by distance. Whalen asked why it was being discussed. Scarborough commented this was discussed during a breakout meeting with fewer people, this requires full discourse and disclosure with all members and public. Asking for comments to add to a presentation on floodplains for next meeting. Shibley in favor of RPO guidelines, high density with Villages such as 4S Ranch use concrete channels, while rural areas need more flexibility from the County. Carmichael commented that 4S Ranch preserved and enhanced their floodplains very well. Shibley not happy about incorporating open space subdivision into existing standards. Spoke about planting in floodways. Scarborough clarified that the open space subdivision was used first then trickle down and resort to standards if needed.
  - ❖ **Correction made at the March 25, 2003 meeting:** Shibley stated there are concrete channels throughout the County. In certain places, where buildings existed prior to FEMA (did not come into existence until 1968), those areas have flood channels that can protect those buildings rather than tear them down and relocate them.
- Younkman reiterated that he would like to see a presentation on floodplains, a new chart and a flow chart showing how staff will consider these issues as priorities and relevant section of the goals and policies as an attachment.
- Bowlby commented on RPO and concrete channels. Scarborough stated this would be discussed in a new chart at a later meeting. Bowlby wanted to continue discussion on prioritizing steep slopes vs. floodplain, question for breakout session members, will yield reduction still apply for hillsides? Silver and Scarborough commented if hillsides were the most sensitive, stay off. Idea is, no yield reductions using open space subdivision, acknowledge some sites may be so constrained that cannot build all units, yield reduction applies because infeasible to build there.
- Scarborough moves to legislative intent. Barker reiterated separating out Village Core/other land uses.
- Carmichael read legislative intents. Decoupling to achieve density, clustering and open space. Equity mechanisms, purchase of development rights intend to pursue. Want BOS to direct us to start on that program. Have not done legislative intent on TDR's. Whalen commented that the decoupling language was too vague. Should also have a TDR intent. Silver commented that TDR's should be part of legislative intent, language should be more vague. Larson commented it needed to be more open ended, should go forward with the PDR as a stand-alone document. Bowlby asked what a jurisdiction does in the purchase of development rights, is this County? Scarborough answered it could be County or other entity; “jurisdiction” could be the wrong word. Suggested to hold the question for Holler. Coombs disappointed not to see transfer from down zoned properties, need TDR also, move density into more compact development. Shibley asked if vote would be taken? Scarborough returned to 6 items needed for a complete package, could vote if ready but sounds as though group is not. Younkman reiterated this was to transfer density to appropriate areas. Scarborough stated this was for PDR only, not a transfer (TDR), realizes group desires both PDR & TDR legislative intent. Chase asked if these were reviewed by Planning Commission, and suggested they add a headline. Is there a list pending? Reiterated adding items to the list, Transportation issues, and facilities benefit assessments.
- Scarborough asked for general comments, then to close. Tometz asked about non-existing roads on the County CE. Would it be better to get the input before running model? Carmichael answered that is being done at the community level. Tometz asked about rural limit lines? Carmichael stated it's an issue on the Steering committee's agenda. Tometz asked about policy on density? Scarborough commented on the draft Land Use Distribution, staff supports the map. Carmichael stated that work was done with each community, lot size, concepts all factor into process.

### **Agenda Item III: Conservation Subdivision –**

- Conservation Subdivision, new concept that is ready for full public disclosure, viewing and collaboration. Holler explained the matrix to the group. Related to Standards discussion held previously. Concept was to look at how development might occur, simplify other regulations. This is proposed, intended to fuel discussion. Densities and decoupling lot size, worked with ratio's to determine whether sewer or septic would be used, and percent of open space in relation to lot size. If development were to occur in least impactful portion of the site, might have a "clustered" type of project. Open space provided can be used with Open Space in adjacent areas to assemble corridors. Benefit with more compact development could provide potentially lower costs in roads, infrastructure, etc. Other incentives could be not having slope reduction yield losses. In determining open space percentage, development footprint includes some things, does not include others. In addition, potential uses listed (on matrix) that would be allowed in open space areas.
- Whalen has some concerns.
- Adams brought to several committees in the BIA, and can do business with this matrix will modifications. Fundamental formula and concept has seal of approval from building industry.
- Silver provided background, BIA pushing density based plan – if density based plan, shouldn't the density be what is built? Should have no yield reductions for anything. Only way to accommodate is to institute "clustering" concept. The notion of this was to provide certainty, open space will be set aside, communities will know how much open space will be set aside. Provides a certainty. Spent a lot of time on the chart, what has worked in other jurisdictions, what was practical. Open space and lot sizes don't "add together" to produce whole property, leaving a "flexible area" in between. This area reserved for access roads and facilities (easements). The open space is permanent, could be used in the future for GPA's for future dwelling units. Need "clustering", effective clustering, certain clustering.
- Shibley commented that it's almost impossible, community resistance, can't tell it's open space or preserved. First developer incurs all the infrastructure costs. (several issues) Silver commented if you don't decouple the lot size and density you have precluded future building/density increase. Creates more lots for builder.
- Adams commented the topic is the concept to set aside larger "easement" and cluster to open space, hard to figure out what needs to be done. The matrix quantifies the process, benefit of what were talking about.
- Shibley - use zoning on property to determine maximum lot size. Keep it simple, chart makes assumptions about sewer, most people don't understand leach fields and perk. SOLV is in favor of decoupling and permanent open space. Nothing to go back to after 2020, already in permanent open space.
- Whalen supports the concept but documentation needs to be addressed, as well as the total percentages and potential in the "footprint". Also, public amenities, such as parks.
- Barker asked what the incentives were to make smaller lots? Sewer and septic drives the lot size. Is percent of open space not a requirement, only a result? Will we direct people to do smaller lots to obtain more open space? What is incentive? Holler commented this was about availability of sewer, more efficient in smaller lot size, septic will be an option in some areas.
- Silver commented these are maximums, if the builder took less space they would have more "flex-area" and open space would still be there, might be built upon in the future with GPA.
- Adams product type on the ground will help determine. Two issues with the footprint – brush clearing and parks/trails should be outside the footprint calculation.
- Chase asked whether we want a motion to develop this? Scarborough answered yes, that interest group concurs with the concept to further refine it. Steering committee has not yet heard this. Chase motioned to approve the concept and move it forward. Adams seconded.
- Higgins discussion – what if least sensitive area not preferred are to develop? How do we define the development area? Pryor answered we will set priorities, such as "wetlands" over "slope" or the BMO/RPO will determine. Not precluding development, determining where is should go.
- Silver commented we're trying to determine "what trumps what". Probably won't have too many properties that are so constrained. May limit depending on constraints. Higgins asked how do we define it so it can be left to be determined in the future? Pryor answered could remain under developer or original landowner, suggesting they show future development area on subdivision maps, so it's

recorded. Scarborough commented that Jim (Whalen) noted they would need to see legislative intent on that.

- Bowlby commented that there would be a gap to allow future plan amendments/GPA's, but is correct saying community groups will complain because they want large parcels. Look at mechanism to compensate if there are no yield reduction formulas. Decoupling and clustering will enable development to take place that will require roads along long stands of open space. Need criteria so that doesn't happen (leapfrogging communities). Details to look at include easement and permanent open space, will a fence be allowed? What kind of enforcement will we have to protect open space?
  - ❖ **Clarification made at the March 25, 2003 meeting:** Stated it should read: *Shibley is correct in saying that community groups will complain because they want large parcels. Clarified that community groups will want large parcels to avoid future increased development but if you leave a gap, that would allow for a GPA to come forward and increase development. Need to look at mechanisms to compensate population increases if there is no yield reduction formula.*
- Scarborough mentioned motion on the floor to take forward as a concept, details need to be worked out and needs to be intent understood (remainder parcel, percentages). If we can define a general list of what needs to be done, can get a vote and move on?
- Shibley is in favor of a motion with regard to the first two columns (decoupling), don't get too specific, will "tie your hands". Mentioned yield on property under "old" general plan, clustering not a panacea for everything. There exist landforms that don't allow clustering. Scarborough reiterated that we're using the term "open space subdivision" for "clustering". Shibley continued to comment, when the land is downzoned with 2020 you can't recapture the land, no density on the horizon. Silver commented that was better than current conditions. Move forward with the technical issues, e.g. brush clearing, but wanted group to note that one number did not reflect discussions of smaller group – 1du/10ac was 85% not 80%.
- Scarborough suggested to collect the concerns then note them in future progress of concept. Messer spoke for the motion, shows progress, but has concerns with brush clearing in the footprint. Adams reiterated the BIA can do business with the concept, gives regulatory certainty. Don't lose majority of units from "NIMBY-isms". Environmental constraints like slopes already calculated. Holler stated staff modeled map for population now and got 678K, with slope constraint off, population increased to 688K. Coombs asked about term "sewer likely", how is likelihood determined? Holler replied it was in context to whether you would have sewer, onsite disposal or septic. Some alternative systems don't require same size lots. At this lot size sewer is likely. Pryor explained the County has used that sewer as a growth control, because the current GP doesn't have a density base to it. Could possibly use package treatment plants sized to development they are going into. Coombs commented on what should be in the footprint that if public community amenities they probably shouldn't be included as opposed to private amenities. Scarborough commented the group was not going to decide this today, going to list going with the motion that will go back to staff, the community then back to the Interest group.
- Bowlby stated population targets increase growth in the unincorporated areas unless we attach some type of balance. Constantly fighting edge effects this in wetland areas, need to keep development in adjacent areas down. Would never be in favor of development yield in these areas. Until the package is in front of the group this concept is premature, will abstain.
  - ❖ **Correction made at the March 25, 2003 meeting:** Bowlby stated this item could be stricken since it was made clear in a previous statement. If not, it should read: *population targets will increase in the unincorporated areas unless we attach some type of balance.*
- Adams explained we're not getting more units, downzone is already in place, simply moving the numbers around. Holler explained when slope constraint turned off in the model, density doesn't change, looking at how we're applying the constraint changes. This is a different way of putting development in the least impactful portion of the site. Adams reiterated we're not gaining units. Bowlby commented that when you remove yield reduction from RPO get an additional 3,333.33 units. Pryor explained applying RPO against the current GP contained "bogus" development potential, could never get yield you expected. With the current constraints put in at front end of the modeling, simulated conditions produced numbers that are more realistic. Once density is set, you can move it around, but don't get "more" units. Chase asked why Bowlby thinks there would be an additional 10,000 units? Pryor explained that with a density-based plan, removing the constraints in the model will let the population increase. Leaving base density in place, the model can compute what population will be (678K), then move it around. Bowlby stated you would still get the additional units. Scarborough

explained that staff is using this model to obtain the Land Use Distribution Map and once the map exists, the densities stick. Bowlby maintained you would get a population of 688K. Pryor explained the yield reduction again. Scarborough called for a vote. Acknowledge the process, with concerns listed, will send to staff for further refinement – vote on matrix as a concept.

- **Vote 14-1-1 in favor of accepting as a concept.**

#### **Public Comments –**

- Almeda Starkey – comment on meeting time/place change, when is this going before the BOS? Will it be what went before the Planning commission? Can we get attachments? Scarborough answered there is no date set, currently looking at late April and early May. Can get attachments from staff.